

IN THE DRAWINGS

The attached sheet of drawings includes changes to Figs. 2, 4, 6, 7, and 9-14. These sheets, which include Figs. 2, 4, 6, 7, and 9-14, replace the original sheets including Fig. 2, 4, 6, 7, and 9-14.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

Favorable reconsideration of this application as currently amended and in view of the following remarks is respectfully requested.

Claims 11-20 are currently active in this case. Claims 19 and 20 have been added by the current amendment. See Figure 31 and the corresponding disclosure in the Specification. No new matter has been added.

In the outstanding Office Action, Figures 2, 4, 6, 7, and 9-14 were objected to due to “smudging”; Claim 1 was rejected under 35 U.S.C. § 112, second paragraph, for being indefinite; Claims 11-15 were rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent Publication No. 09-030893 to Shinpei; Claims 16 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Shinpei in view of U.S. Patent Publication No. 2001/0000098 to Fayfield; and Claim 18 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Shinpei in view of U.S. Patent No. 5,164,012 to Hattori.

In response to the objection to the drawings, Applicants have submitted herewith replacement sheets including figures modified to address the smudging identified in the Office Action. Consequently, no further objection to the drawings is anticipated.

Regarding the rejection of Claim 1 under 35 U.S.C. § 112, second paragraph, Applicants understand the rejection to be directed to Claim 11 as Claim 1 has been canceled. Regarding Claim 11, Applicants respectfully point out that the Office Action mistakenly regards the “heater plate” to correspond to the heater 114 described in the Specification at page 24, line 21. However, the heater plate recited in Claim 1 corresponds to the SiC susceptor 118 described in the Specification at page 23, line 24, whereas the “heater portion” recited in Claim 1 corresponds to the heater 114. In view of the foregoing clarification, Applicants respectfully submit that Claim 11 is definite. No further rejection under 35 U.S.C. § 112, second paragraph, is therefore anticipated.

Briefly recapitulating, the present invention (Claim 11) is directed to a substrate processing apparatus including, among other things, a processing vessel; a heater portion that heats a substrate introduced into a processing space to a predetermined temperature; a heater plate mounted on a top plate of a transparent case; and a holding member for holding the substrate at a position spaced from and opposite to the heater plate. Because of the positional relationship between the heater plate and the holding member, the substrate can be prevented from warping. Further, even if warping does occur, the substrate can be prevented from contacting the heater plate. See page 25, lines 14-22, page 42, lines 20-29, and page 48, line 30 to page 49, line 4 of the Specification.

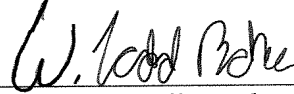
In contrast thereto, the Shinpei publication does not teach or suggest the positional relationship feature of the present invention with regard to the heater plate 14 and susceptor 18. See the Abstract and the figures of the Shinpei publication. Consequently, Shinpei is not believed to anticipate or render obvious the subject matter defined by Claim 11 when considered alone or in combination with the other applied references.

Claims 12-18 depend from Claim 11 and are believed to be allowable for at least the same reasons that Claim 11 is believed to be allowable. In particular, regarding Claims 19 and 20, Applicants point out that by rotating the substrate, a uniform heating property of the substrate can be enhanced in a circumferential direction. See page 48, line 19 to page 48, line 29 of the Specification.

In view of the foregoing, no further issues are believed to remain. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Steven P. Weihrouch
Attorney of Record
Registration No. 32,829

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

W. Todd Baker
Registration No. 45,265